

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

**Steven B. Foulks  
206 Sugar House Ct. Apt 102  
Moncks Corner, SC 29461**

**SCDOI File Numbers 14-4498**

**Default Order Revoking  
Producer/Surety Bondsman License  
Number 709702**

This matter comes before me pursuant to the Letters of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2004), by the State of South Carolina Department of Insurance upon Steven B. Foulks. Notification was made by both certified mail, return receipt requested, and by regular mail on December 15, 2014.

That order informed Steven B. Foulks of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a producer/surety bondsman within the State of South Carolina. **Despite that warning, Steven B. Foulks has failed to respond to the Department's notifications, as detailed in the attached Affidavit of Default.**

After careful review of the evidence presented, I find as follows:

**FINDING OF FACT**

1. Steven B. Foulks is currently a South Carolina producer/surety bondsman issued license number 709702. His surety bondsman authority is currently inactive.
2. Respondent's supervising agent alleged he failed to remit \$1,350 in premiums on two executed bail bonds.
3. Respondent was forwarded a notice of investigation to his address of record regarding the above allegation, but failed to respond to the Department.
4. Respondent was contacted by telephone on November 19, 2014. Respondent advised he has relocated to New Jersey and provided his current address.
5. The Department forwarded another notice of investigation on November 19, 2014, to respondent's New Jersey address. It was returned unclaimed.

6. On December 15, 2014, the Department forwarded an order of revocation with instructions on how to request a hearing. Respondent has not replied within the thirty days.

## CONCLUSIONS OF LAW

1. Under S.C. Code Section 38-43-130 (A)(4), the director or his designee may place on probation, revoke, or suspend a producer's license after ten days' notice or refuse to issue or reissue a license when it appears that a producer has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the department, or has willfully deceived or dealt unjustly with the citizens of this State; *See* S. C. Code Ann. § 38-43-130(A)(4)(2002).

The words "deceived or dealt unjustly with the citizens of this State" include, but are not limited to, action or inaction by the producer as follows:

- (4) improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business.
2. Under S.C. Code Section 38-53-150 (A)(4) The director or his designee may deny, suspend, revoke, or refuse to renew any license issued under this chapter for any of the following causes:
  - (4) misappropriation, conversion, or unlawful withholding of monies belonging to insurers or others and received in the conduct of business under the license; *See* S. C. Code Ann. § 38-53-130(A)(4).

3. Accordingly, S.C. Code Section 38-2-10 (2) provides that administrative penalties may be imposed for each violation of the South Carolina insurance laws;

If the violator is a person, other than an insurer or a health maintenance organization, licensed by the director or his designee in this State, the director or his designee shall (a) fine the person in an amount not to exceed two thousand five hundred dollars, or (b) suspend or revoke the license of the person, or both. If the violation is willful, the director or his designee shall (a) fine the person in an amount not to exceed five thousand dollars, or (b) suspend or revoke the license of the person, or both.

4. Steven B. Foulks violated the laws of this state, specifically S.C. Code Sections 38-43-130, 38-53-150 and 38-2-10 when he withheld premiums from an insurer.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's, *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110(3) (Supp. 2004).

It is, therefore, ordered that the license of Steven B. Foulks to do business as a producer/surety bondsman within the State of South Carolina be, and is hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Steven B. Foulks is currently licensed, through the State of South Carolina Department of Insurance, as a producer/surety bondsman within the State of South Carolina.

This order becomes effective as of the date of my signature below.

A handwritten signature in black ink, appearing to read "Raymond G. Farmer".

Raymond G. Farmer  
Director of Insurance

January 28, 2015 at  
Columbia, South Carolina

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

**SCDOI File Number 14-4498**

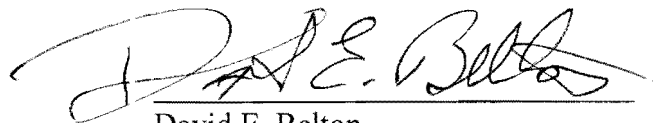
**Steven B. Foulks  
206 Sugar House Ct. Apt. 102  
Moncks Corner, SC 29461**

**Affidavit of Default**

Personally appeared before me David E. Belton, who, being duly sworn stated that at all times relevant to this Affidavit of Default he was the attorney representing the State of South Carolina Department of Insurance (the Department) in this administrative action. He further stated the following:

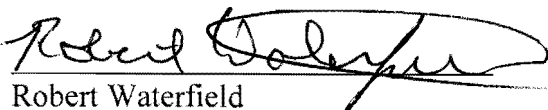
The Department served notice on Steven B. Foulks, 206 Sugar House Ct. Apt 102, Monks Corner, SC 29461 & 131 Myrtle Ave Apt #2, Jersey City, NJ 07305 an Order Revoking his Producer/Surety Bondsman License and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a producer/surety bondsman within the State of South Carolina in thirty (30) days. The Department served that notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2004), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested". That letter further notified Steven B. Foulks of his opportunity, within thirty days, to request in writing a public hearing.

The Department mailed the notice concerning the right to a hearing by certified mail, return receipt requested, and by regular mail, on December 15, 2014. The certified letter forwarded to his last stated New Jersey address was unclaimed. The letters sent regular mail has not been returned. Steven B. Foulks has not made a request for a public hearing or any other response to the notifications. The time in which to do so has expired. He is now in default.



David E. Belton  
Senior Associate General Counsel  
South Carolina Department of Insurance  
Post Office Box 100105  
Columbia, South Carolina 29206  
(803) 737-6158

Sworn ~~to~~ and subscribed before me  
this 25 day of February, 2015



Robert Waterfield  
Notary Public for the State of South Carolina  
My Commission Expires: August 28, 2022